

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, for months the American people have been gripped by the sideshow surrounding President Trump. It seems like every day another shoe drops on the Russia investigation, another White House staffer is fired, and President Trump tweets something that upends the government and causes our allies to move even further away from us.

Despite all of this commotion, all of the drama, and all of the disorganization, there is one thing that Trump and the Republicans in Congress have carried out since day one with complete precision. They have carried out a comprehensive all-out assault on American workers. Day by day, week by week, month by month, President Trump and congressional Republicans have acted to undermine the safety and economic security of hardworking Americans.

Just observe what they have done. On December 8, President Trump nominated Andrew Puzder, who was then CEO of fast food giants Hardee's and Carl's Jr., to lead the Department of Labor. That is right. His first major announcement affecting workers was to nominate a man who made his fortune on the backs of hard-working Americans to the top position in government charged with protecting American workers.

On February 1, just days after he was inaugurated, President Trump delayed a rule protecting workers from workplace exposure to a lethal cancer-causing substance called beryllium. On February 3, President Trump stood with big bank CEOs to announce an Executive order to make it easier for investment advisers to cheat hard-working Americans out of \$17 billion a year in retirement savings. On March 1, the Trump administration delayed the rule protecting workers from lethal cancer-causing beryllium a second time. On March 6, congressional Republicans followed the directive of big business lobbyists and voted to make it easier for government contractors to steal wages from their employees. On March 16, President Trump released his budget blueprint, proposing to slash funding for the Labor Department, whose job is to stand for American workers, by 21 percent. On March 22, congressional Republicans voted to make it easier for employers to hide injuries and deaths that their workers suffer on the job. On March 24, the Trump administration delayed a rule that required mine operators to conduct safety inspections and tell miners about any hazardous conditions they discovered before the workers go into the mines. On March 30, congressional Republicans voted to block cities from offering retirement

accounts to more than 2 million employees who don't have access to a retirement account at work. On April 4, President Trump delayed the rule preventing investment advisers from cheating hard-working Americans out of their retirement savings. This 60-day delay alone cost Americans an estimated \$3.7 billion. On April 6, the Trump administration delayed a rule protecting construction workers from deadly silica poisonings. On May 3, Republicans in Congress voted to keep State governments from offering retirement accounts to employees who don't have access to accounts at work, yanking access away from 15 million Americans. On May 23, President Trump called for massive budget cuts to the Department of Labor, including the complete elimination of workers' safety training programs, programs for older workers, and funding for workers with disabilities. And on June 23, President Trump proposed exempting the construction and shipbuilding industries from the rule to protect workers from lethal cancer-causing beryllium, a move that could prove fatal to workers in these industries.

That is a pretty despicable record—despicable but consistent. Workers get slammed over and over. Today, Senator McConnell has brought us down to the floor to sock it to American workers one more time before he sends us home for summer recess. Today, we are voting on the nomination of Marvin Kaplan to serve on the National Labor Relations Board.

Pause here for just a second. The NLRB is probably the most important independent Federal agency that you have never heard of. They are responsible for protecting the legal rights of workers to come together and bargain with their bosses for higher wages and better working conditions.

Starting a union is not easy. Large employers fight union organizing campaigns tooth and nail. They hire armies of union-busting lawyers to run smear campaigns against the unions or to delay or kill organizing efforts.

That is why the NLRB is so very important—to serve as a referee that ensures employers play by the rules and workers get a chance to exercise their legal rights. It is the NLRB's job to stand up for workers—workers like the nearly 4,000 workers at the Nissan plant in Canton, MS, who, beginning tomorrow, will vote on whether to elect a union to represent them. That is what the NLRB has traditionally done—stood up for workers. Just last week, they filed a complaint against Nissan, alleging that the corporation has violated the law by running a union-busting drive, warning workers that they would lose wages and benefits if they took the step of joining a union.

It is also the NLRB's job to do the routine but important work of overseeing the elections. Just last month, the NLRB conducted a secret ballot election at Cooley Dickinson Hospital

in Northampton, MA, where nearly 300 service workers elected to be represented by SEIU 1199.

With a Republican Congress and President determined to deliver the knockout blow to the middle class, hard-working Americans need an NLRB that is on their side. President Trump's nominee to the NLRB, Marvin Kaplan, has no experience practicing labor law, but we actually know where he stands on protecting workers.

As a Republican House staffer, here is what he has done. He spent years actively working to strip workers of their right to organize under the law. He spent years working to overturn rulings by the NLRB that would protect workers' rights. He worked on the legislation to delay union elections by at least 35 days, giving employers and their armies of lawyers and lobbyists more time to fight off organizing efforts. He worked on legislation to make some workers ineligible to join unions at their workplaces. He even fought efforts to ensure that Americans get paid the overtime they deserve.

So after 8 months, the Republicans are about to go on vacation, but not before they jam the NLRB with a new anti-worker nominee. The biggest problem in Washington is that this place works great for giant employers and for giant corporations with armies of lawyers and lobbyists. But workers and their families just get ignored. President Trump doesn't seem to have any problem turning his back on millions of hard-working people, but that is not what we are here for.

I will be voting against Marvin Kaplan, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Kaplan nomination?

Mr. TILLIS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 184 Ex.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoehen	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Burr	McCain
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the submission of S. Res. 243 are printed in today's RECORD under "Submitted Resolutions.")

Mr. FLAKE. Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Virginia.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 222 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 222) designating July 26, 2017, as "United States Intelligence Professionals Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 222) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 19, 2017, under "Submitted Resolutions.")

Mr. WARNER. Mr. President, for several years now I have regularly come to this floor to publicly acknowledge the contributions made by our great Federal employees. This is a tradition I inherited from one of our former colleagues, Senator Ted Kaufman of Delaware. Senator Kaufman, who had been a longtime staffer himself before he served as a Senator, would come to this floor on a regular basis to acknowledge and celebrate the tireless work and occasional heroics performed by many of our Federal employees. When Senator Kaufmann left this body, I gladly picked up that mantle and since then have come to the floor to draw attention to the extraordinary contributions of many of our Federal workers.

Over the past few years, this recognition has included a Social Security executive who eliminated a claims backlog to more quickly meet the urgent needs of thousands of Social Security recipients with grave terminal illnesses. We have also celebrated the work of a Department of Homeland Security official who saved taxpayers \$750 million by streamlining her agency's procurement processes, and we proudly highlighted the work of a group of engineers at NASA Langley Research Center in Virginia, who, in 2010, designed a capsule that proved to be crucial in saving the lives of 33 Chilean miners who were trapped underground.

Too often, our Federal workers are disrespected and demeaned by those who would attempt to use them as scapegoats for all that is allegedly wrong here in Washington. In reality, thousands of our Nation's dedicated civil servants work tirelessly every day to make our government work for and by the people.

Today, I wish to focus for a moment on one such group of outstanding Federal employees—those who work across our Nation's intelligence agencies to keep our Nation safe. Most of these professionals work in anonymity. Many risk their lives far away from the limelight. That is how it should be, for they are sworn to secrecy, even from their families and loved ones.

Over the last decade and a half, our intelligence professionals have increasingly been deployed overseas into war zones and other high-threat environ-

ments. Regrettably, some have made the highest sacrifice—laying down their lives for their country.

For their service, the risks they take and the sacrifices they make every day and because they do not hear this nearly enough, let me say "thank you" to the intelligence community.

As a Senator from the Commonwealth of Virginia, I am proud to represent thousands of current and former members of the intelligence community who live, work, or retire in our great State. I am also proud to represent these individuals in my current capacity as vice chairman of the Senate Intelligence Committee.

My colleagues and I on the committee have again submitted a resolution that marks July 26 as "United States Intelligence Professionals Day." It was on that day 70 years ago that President Truman signed the National Security Act of 1947, which laid the foundation for today's U.S. intelligence community. It was earlier in my statement that we passed that resolution. In recent years, our committee has had success, as we try to protect our intelligence community, with greater intelligence sharing and interoperability and because of investments in people and systems.

Many challenges remain—from the constant barrage of leaks to the security of the supply chain, to outdated processes for security clearances. I hope that this year's intelligence authorization bill will begin to address some of these issues.

Yet today it is the people in the intelligence community whom I want to acknowledge—their professionalism, their dedication to duty and country, their silent service, their sacrifices.

The men and women of the Nation's intelligence agencies deserve our respect and our thanks. They do not deserve to be belittled, disrespected, or threatened, and certainly not from their Commander in Chief.

To the men and women of the intelligence community—these great Federal employees—I conclude with this: We, simply, do not say it enough, but thank you for your service. Thank you for your dedication, and thank you for the great work you do—often unheralded.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RACE FOR CHILDREN ACT

Mr. RUBIO. Mr. President, I come to the floor today to voice my support for the FDA Reauthorization Act. Within this legislation is a very important measure that will support the development of innovative and promising cancer drugs—the RACE for Children Act,